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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,220	12/22/2003	Alan L. Westwick	SIL.P0056	7647
30163	7590	05/19/2005	EXAMINER	
JOHNSON & ASSOCIATES PO BOX 90698 AUSTIN, TX 78709-0698			NGUYEN, PATRICIA T	
			ART UNIT	PAPER NUMBER
			2817	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/743,220	Applicant(s) WESTWICK ET AL.	
	Examiner Patricia T. Nguyen	Art Unit 2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-33 is/are allowed.
- 6) ☒ Claim(s) 1, 5, 12-14, 16 and 22-24 is/are rejected.
- 7) ☒ Claim(s) 2-4, 6-11, 15, 17-21 and 25 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/29/05, 2/11/05</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 23, 24, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Valfre, U.S. Patent # 3,684,975.

Figs. 4 and 7 of Valfre discloses a circuit comprising: in Fig. 4, transformer T1 can be read as an input network having a transformer having primary side p1 and the other side as secondary side; input signal S1 can be read as an RF input signal; diodes Rd1, Rd2 can be read as a limiting amplifier (see spec. col. 3, lines 54-62); amplifier A connects to diodes Rd1, Rd2 and having output U can be read as RF power amplifier; feedback loop having equalizer Eq and capacitor C1 can be read as a DC feedback loop.

Claims 14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Ting et al., U.S. Patent # 5,723,994.

Figs. 3 and 4 of Ting et al. discloses a circuit comprising: in Fig. 4, circuit having input signal INPUT2 and input to NOR circuit I5 can be read as an input circuit; inverters I8, I1, I2, I12 can be read as a plurality of inverters; node 15Y can be read as input of

Art Unit: 2817

the RF power amplifier; transistors P12, N20, P10, N17, N16, and N18 can be read as RF power amplifier.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valfre, U.S. Patent # 3,684,975.

Regarding claim 5, although Valfre has a common emitter transistors Tr1, Tr2 in Fig. 7 instead of common source, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to substitute bipolar transistor with field effect transistors in the absence of unexpected results since such substitution is well known in the art in order to meet system requirements.

Regarding claims 12 and 13, although Valfre does not mention that the RF power amplifier and the input circuit are formed on the same semiconductor substrate, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to place the RF power amplifier and the input circuit on the same semiconductor substrate in order to have a convenient compact and easy to use circuit since this practice is well known in the art and this is a matter of design choice.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ting et al., U.S. Patent # 5,723,994.

Although Ting et al. does not mention that the inverters are CMOS inverters, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to use CMOS for the inverters since this is a well known way of making the inverters in the art in order to have an optimum performance for the circuit and this is a matter of design choice.

Allowable Subject Matter

Claims 2-4, 6-11, 15, 17-21, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 27-33 are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patents # 5,936,458, # 3,903,485, # 5,220,209, and # 6,756,849 B2 contain some limitations of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia T. Nguyen whose telephone number is (703) 308-1927. The examiner can normally be reached on 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on 703-309-4940. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2817

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PTN

May 16, 2005



PATRICIA NGUYEN
PRIMARY EXAMINER